



ALABAMA DEPARTMENT OF TRANSPORTATION

Bureau of County Transportation

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Bob Riley
Governor

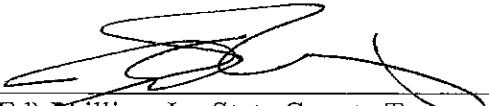
Joe McInnes
Transportation Director

April 2, 2009

MEMORANDUM 2009-12

TO: County Engineers

CC: Division Engineers and Division County Transportation Engineers

FROM: 
D.E. (Ed) Phillips, Jr., State County Transportation Engineer

REFERENCE: FHWA Technical Correction HIPA-10
Minor Collector Eligibility

Please be advised that recently this office became aware that Section 113(a) of the SAFETEA-LU Technical Corrections Act of 2008 was enacted that amended Section 1108(f) of TEA-21. This Technical Correction (attached) permits obligation on minor collectors. What this means is that county routes that are currently classified as minor collectors are now eligible for the authorization of a county's regular federal-aid apportionment. However, please note that only 15 percent of a State's sub-allocation of STP funds for areas less than 5000 population may be authorized on a minor collector. Therefore, we will submit requests to the FHWA for the authorization of regular federal-aid on county minor collector projects until the 15 percent cap is reached on a "first-come, first-served" basis.

However, please be advised that the FHWA has taken the position that minor collectors are not eligible for ARRA (stimulus) funds. This position is based on the fact that the ARRA references that eligibility requirements for ARRA funds are the same as TITLE 23, United States Code (whose funding is provided by SAFETY-LU), and since minor collectors are not eligible under SAFETY-LU but rather the SAFETY-LU Technical Corrections Act of 2008, minor collectors are not eligible for ARRA funds.

Please feel free to contact me should you have any questions or comments concerning this matter.

C: Mr. Joe McInnes, Transportation Director
Mr. D.W. Vaughn, Chief Engineer/Deputy Director
Mr. Don T. Arkle, Assistant Chief Engineer, Policy & Planning
Mr. Ronnie Baldwin, State Office Engineer
Mr. Sonny Brasfield, ACCA



Memorandum

Subject: **INFORMATION:** Surface Transportation Program (STP)
Section 1108(f) of TEA-21, Funding of Minor Collectors
Amended by SAFETEA-LU Technical Corrections

Date: June 25, 2008

From: Dwight A. Horne *Dwight A. Horne*
Director, Office of Program Administration

In Reply Refer To:
HIPA-10

To: Division Administrators

Section 113(a) of the SAFETEA-LU Technical Corrections Act of 2008 (Public Law 110-244), which was enacted on June 6, amended Section 1108(f) of TEA-21 by extending this provision through FY 2009. This special rule permits obligation on minor collectors of up to 15 percent of a State's sub-allocation of STP funds for areas of less than 5,000 population.

This provision had not been continued by SAFETEA-LU when it was enacted in August 2005. Therefore, our previous guidance on the STP under SAFETEA-LU, issued with our November 30, 2005, memorandum, provided information on the termination of this provision. This memorandum replaces the guidance on this TEA-21 Section 1108(f) special rule that was included in the November 30, 2005, memorandum. All other STP guidance in that memorandum remains applicable.

This special rule now applies to the sub-allocation of STP funds for areas of less than 5,000 population through FY 2009. Before approving obligations of these STP sub-allocated funds on minor collectors, the Division should verify the availability of the funds, including consideration of the 15 percent limit for the fiscal year. Divisions should refer to Supplementary Table 8 and/or consult with the Fiscal Management Information System (FMIS) team in the Office of Financial Management.

If there are any questions, please contact Larry Beidel at (202) 366-4653 or Vince Barone at (202) 366-4652.

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